

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ART TOBIAS,
Plaintiff,

v.

CITY OF LOS ANGELES, et al.,
Defendants.

CV 17-1076 DSF (ASx)

Order re Defendant Daniel
East's Motion for Summary
Judgment

After review of the motion papers filed in support of and opposition to Defendant Daniel East's motion for summary judgment, the Court tentatively is inclined to agree with the reasoning in Judge Collins's partial dissent regarding causation. Specifically, the Court tentatively finds that no reasonable juror could conclude that East's written report was a but-for cause of any of Plaintiff's harm given that Plaintiff had confessed to the murder prior to the written report being delivered to anyone involved in investigating the case.

However, this is not an argument directly made by East in his motion. Therefore, pursuant to Federal Rule of Civil Procedure 56(f)(2), Plaintiff is granted leave to address this issue in a supplemental filing to be filed no later than January 28, 2022. East may file a reply no later than February 11, 2022. As of that date, the matter will be under submission with a written order to follow. The hearing set for January 24, 2022 is removed from the Court's calendar.

IT IS SO ORDERED.

Date: January 14, 2022



Dale S. Fischer
United States District Judge